

Attorneys admitted in
California, New York,
Texas, Pennsylvania, and
Maine

Sender's contact:
scott@donigerlawfirm.com
(310) 590-1820



Doniger / Burroughs Building
603 Rose Avenue
Venice, California 90291

Doniger / Burroughs NY
247 Water Street, First Floor
New York, New York 10038

April 27, 2023

DELIVERED VIA ECF

Honorable Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 705
New York, NY 10007

Case Title: *Klauber Brothers, Inc. v. Walmart, Inc. et al.*
1:22-cv-08087-PGG
Re: *Request to Adjourn Conference*

Your Honor:

As you know, this office represents Plaintiff Klauber Brothers, Inc. ("Klauber"), in the above-referenced action. We write to respectfully request an adjournment of the initial pretrial conference, currently scheduled for May 4, 2023 at 10:00 a.m. On April 5, 2023, the Court granted Klauber's prior request to adjourn the initial pretrial conference until May 4, 2023 (Dkt. #29).

The Court has previously granted Klauber's request to extend the deadline to restore Walmart, Inc. as a defendant until June 2, 2023. (Dkt. #33). And Klauber has reached a settlement in principle with Walmart and anticipates finalizing an agreement shortly. Klauber has also reached a settlement in principle with Ever Best Sales, LLC. The only Defendant remaining to attend the Initial Pretrial Conference is Music Legs, Inc., who has yet to file an answer to Klauber's First Amended Complaint and with whom Klauber is currently engaged in settlement discussions. In light of the foregoing, Klauber respectfully requests that the Initial Pretrial Conference currently scheduled for May 4, 2023, be adjourned until May 25, 2023, or a date thereafter convenient for the Court, to allow time for the Parties to continue settlement discussions and potentially resolve all outstanding claims in this action.

This is the third request to adjourn the initial pretrial conference with the newly named defendants. The previous request was granted by the Court. (Dkt. #29). Two previous requests to adjourn the initial pretrial conference with Walmart were granted to allow time for settlement discussions with Walmart. (Dkt. #17).

We thank Your Honor for your consideration of this request.

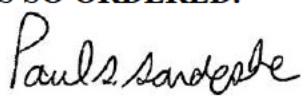
Respectfully submitted,

By: /s/ Scott Alan Burroughs
 Scott Alan Burroughs
 DONIGER / BURROUGHS
Attorney for the Plaintiff

MEMO ENDORSED: The application is granted. The conference currently scheduled for May 4, 2023 is adjourned to **May 25, 2023 at 11:30 a.m.**

IT IS SO ORDERED.

Dated: May 1, 2023



Honorable Paul G. Gardephe, U.S.D.J.